

Sri Lankan defence report whitewashes war crimes

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16 August 2011

The Sri Lankan defence ministry recently issued a report entitled “Humanitarian Operation—A Factual Analysis” in a desperate attempt to counter mounting accusations in the country and internationally that the military carried out war crimes during its renewed war against the separatist Liberation Tigers of Tamil Eelam (LTTE) from July 2006 to May 2009.

Defence Secretary Gotabhaya Rajapakse launched the report at a meeting on August 1 to which foreign diplomats were invited. “[T]hese falsehoods [on human rights violations] will be laid to rest once and for all and the world will see that the humanitarian operation was just,” he declared.

However, the defence ministry document is not “a factual analysis” that provides evidence to refute a growing number of international reports that have found that, in the final months of the war alone, the Sri Lankan military killed tens of thousands of Tamil civilians. These findings include a UN expert panel report commissioned by the UN Secretary General Ban Ki-moon, a BBC Channel 4 film that brings together video evidence of war crimes, and a detailed report by the US-based Human Rights Watch.

The UN report estimated the number of civilian deaths in the final months of the war at 40,000—mainly the result of the military’s shelling. It also found that hospitals and food distribution centres inside LTTE-held territory had been deliberately shelled, together with no-fire zones designated by the Sri Lankan military.

The findings implicated President Mahinda Rajapakse, his brother Gotabhaya Rajapakse and senior officials and military commanders in a “wide range of serious violations” of international law, some of which “would amount to war crimes and crimes against humanity.” The UN report also found evidence that the Sri Lankan military was complicit in extra-judicial killings of politicians, government critics and LTTE “suspects,” and other gross abuses of basic democratic rights.

In his speech, Gotabhaya Rajapakse claimed that the “accusation of 40,000 civilian casualties” was “vague.” The only figures that he provided were those of the government agent in Mullaithivu—the area in which the final battles were fought. The agent put the highest population figure at 305,000 and the figure at the end of military operation at 294,000.

The defence secretary did not explain how the figures were obtained nor what happened to the missing 11,000. During the final offensives, the government insisted that only 100,000 people were trapped inside LTTE-held territory—a deliberate attempt to cover up the slaughter that was going on. The figures issued by Kilinochchi and Mullaithivu government agents showed there were around 348,000 people present—higher than the 330,000 used by the UN to make its estimates.

Gotabhaya Rajapakse dismissed reports in the British media, including the Channel 4 video, as “biased,” without attempting to refute any details. He also rejected, without providing any substantiation, allegations that he personally had ordered the killing of unarmed LTTE leaders carrying white flags who were surrendering in the final hours of the war.

The defence secretary repeated the government’s allegation that “vested interests”—that is, Western powers—were responsible for the war crimes allegations. It is certainly true that the US and European countries are utterly hypocritical in exploiting Sri Lankan war crimes for their own purposes—in particular, to put pressure on the Rajapakse government over its growing ties with China. Until the final months of the conflict, these powers backed the war against the LTTE and covered up the military’s war crimes.

As for the defence ministry report, it is a crude justification for the Sri Lankan government’s communal war. Nearly half its 161 pages are devoted to listing the people killed by the LTTE since 1975 and giving details of its attacks and weapons recovered. The document repeatedly declares that the brutal war was a “humanitarian operation” aimed at liberating Tamil civilians from the LTTE.

While the LTTE was certainly responsible for communal attacks and atrocities, the chief political responsibility for the war lies with

successive Colombo governments that exploited anti-Tamil communalism and discrimination to divide working people and shore up their rule. By 2009, the Tamil population was increasingly hostile to the LTTE's autocratic rule, but was just as fearful of the communal abuse and anti-democratic methods that would inevitably follow "liberation" by the Sri Lankan military.

The report contains one significant admission—for the first time it acknowledges that civilians were killed by the military's actions. Previously, the government claimed that no civilians had died as a result of the army's operations. Now, just as the US has claimed in Afghanistan and Iraq, the report accuses the LTTE of using civilians as human shields, declaring: "It was impossible in a battle of this magnitude, against a ruthless opponent actively endangering civilians, for civilian casualties to be avoided."

The document blames the LTTE for restarting the war in mid-2006, claiming that previous governments had tried without success to negotiate with the LTTE, which "was determined to confront the government ... through violent means."

In fact, Mahinda Rajapakse won the 2005 presidential election on the basis of a program that aimed to force the LTTE's complete capitulation or plunge the country back to war. Having come to power, he effectively sabotaged internationally sponsored peace talks while pro-government death squads, working in collaboration with the military, carried out provocative killings of high-profile, pro-LTTE politicians.

In July 2006, the government and military seized on a LTTE-sponsored protest in the eastern province, involving the closure of an irrigation sluice gate, as the pretext to launch a full-scale offensive in open breach of the 2002 ceasefire agreement. The defence ministry report falsely claims that "military intervention" following the closure of the Mavil Aru gate was a "last resort to prevent the burgeoning humanitarian crisis."

The LTTE had closed the sluice gate as a protest over the government's failure to build a promised tank or irrigation lake in the area. The government and military ignored efforts by the LTTE and ceasefire monitors to reach a compromise. Moreover, having broken the 2002 ceasefire once, the military regarded the agreement as a dead letter, launching offensive after offensive in an ongoing campaign in the East then the North that had clearly been planned well in advance.

During the military operations in the East, the report claims that "civilian life and property were by and large safeguarded." In reality, the same methods that were employed in the final months of the war were used in the East. Artillery barrages and rocket fire were commonly directed at areas with civilian populations to create panic and fear. Tens of thousands of people fled from areas, including Muttur, Vaharai, Sampur and Thoppigala, and even now have not been allowed to return to their towns and villages.

Throughout this period, the US, India and European powers

supported the Rajapakse government's war and remained silent on all but the most obvious war crimes. A limited international protest was registered over the cold-blooded murder of 17 aid workers employed by the France-based organisation, Action Against Hunger (ACF) on August 4, 2006 in Muttur. All the evidence pointed to the involvement or complicity of the security forces, but no one was ever charged or convicted. The defence report makes no reference to the incident.

The final part of the report paints a glowing picture of life in "liberated" areas of the island with the supposed eradication of "terrorism," restoration of elections, rehabilitation of LTTE cadres and resettlement of displaced people in their homes. Every aspect of this account is a gross distortion of reality.

In the immediate aftermath of the LTTE's defeat, the military herded about 300,000 civilians—men, women and children, including the elderly and the very young—into military-run detention camps known as "welfare villages." Surrounded by barbed war and guarded by soldiers, no one was allowed to leave and visitors encountered prison-style security arrangements. Inmates lacked basic facilities, including schools and health care. At least 10,000 people are still incarcerated in these camps.

Young men and women were interrogated by military intelligence. Some 11,000 youth were taken away to unknown locations for the "reeducation" of "LTTE suspects." The UN panel report found evidence that some of those singled out as "suspects" were tortured and summarily executed. According to the military, nearly 3,000 remain imprisoned without charge more than two years after the end of the war. So-called rehabilitated LTTE members are kept under close surveillance.

The hundreds of thousands eventually released from the "welfare villages" were "resettled" in their towns and villages with virtually no aid. They either live in tents provided by various non-government organisations or in makeshift shelters. The entire north and east of the island is under what amounts to military occupation. In elections last year and this year, the majority of people in the north did not vote, thereby expressing their hostility to the Colombo establishment.

Far from being a comprehensive refutation, the paucity of the defence ministry report demonstrates that the Sri Lankan government and military have no answer to the evidence that they are responsible for horrific war crimes and the continuing abuse of basic democratic rights.



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